



Town of Damariscotta, Maine
May 3, 2023
Select Board Meeting
5:30 PM, Town Office

Join Virtually

Meeting: <https://us02web.zoom.us/j/87878201039>

Meeting ID: 878 7820 1039 Passcode: Dama22

AGENDA

- I. Pledge of Allegiance**
- II. Public Hearing:** Application for Entertainment/Special Amusement Permit
 1. Barn Door Baking Company, LLC D/B/A Barn Door Breakfast at 212 Main Street
- III. Minutes**
 1. April 19, 2023 Select Board Minutes
- IV. Financial Reports**
 1. Payroll Warrants #
 2. Accounts Payable Warrants #
- V. Citizen Comments and General Correspondence**
- VI. Town Manager Items**
 1. Capital Project Updates
- VII. Official Action Items**
 1. Application for Entertainment/Special Amusement Permit: Barn Door Baking Company, LLC
 2. Law Enforcement Equipment Grant
 3. Comprehensive Plan Committee Appointments
 4. Adopt Hearing Conservation Policy
- VIII. Select Board's Discussion Items**
- IX. Adjournment**

**MINUTES
SELECT BOARD MEETING
DAMARISCOTTA TOWN HALL**

**April 19, 2023 5:30 p.m.
Live and Via Zoom**

Members: Daryl Fraser, Chairperson; Louis Abbotoni (via Zoom), Tom Anderson, Andrea Keushguerian, and Josh Pinkham

Members Absent:

Staff Present: Andrew Dorr, Town Manager; Lynda Letteney, recording secretary

Others Present: Warren Busted; Florin Ungureanu; Peter Hackmeister; Molly Delaney; Andrea Leck; Stephen Kahn; Dan Hunter; Peter Drum; Ray Alvarez; Geoff Keochakian, LCTV; Amanda Meader, Town Attorney

I. Pledge of Allegiance: Chairperson Fraser led the Pledge of Allegiance at 5:30 p.m.

II. Public Hearings

A. Barn Door Baking Company, LLC D/B/A Barn Door Breakfast at 212 Main Street

Andrea Leck was present to answer any questions. There were none.

On motion (Pinkham/Keushguerian) to approve and sign the liquor license for the Barn Door Breakfast

Vote: 4-0-0

B. Soul Mates, Inc. D/B/A Bred in the Bone at 133 Main Street

Warren Busted and Florin Ungureanu were present to answer any questions. There were none.

On motion (Pinkham/Anderson) to approve and sign the liquor license for Soul Mates, Inc.

Vote: 4-0-0

III. Call to Order

The Select Board's meeting was called to order at 5:37 p.m. **by Chairperson Fraser**

IV. Minutes

Tom Anderson had some corrections on the March 1, 2023 minutes, Item #9 regarding filtration and licensing (corrected before sent to Board). March 15th minutes were missing Sandy Day's name in the attendance and items #5 &6 for the Historical Society. April 5th minutes under official action #2 should show a vote of 3-2-0 with Pinkham and Fraser in the negative.

On motion (Fraser/Pinkham) to approve minutes from March 1st, March 15th, and April 5th as amended and corrected

Vote: 4-0-0

IV. Financial Reports

1. On motion (Pinkham/Fraser) to approve Payroll Warrant #49

Vote: 4-0-0

2. On motion (Fraser/Pinkham) to approve Accounts Payable Warrant #50 as amended.

Vote: 4-0-0

VI. Presentations: None

VII. Citizens Comments and General Correspondence

Peter Hackmeister of Biscay Road gave a brief history lesson regarding April 19th and its significance then moved on to his issue. He and his wife walk quite a bit and the crosswalks need repainting. By the Newcastle bridge, they are completely worn away. He brings this up now as he feels before they repaint

what's there, the Town should look at Camden and how they did it. Perhaps we can borrow their stencil to redo the crosswalks before the heavy tourist season. The stencil may be readi-made and available on line. **Andy** said a previous meeting had the same issue discussed. He has put a call into Camden to see what he can find out. Maybe use Camden's this year and explore what exactly the Town wants for crosswalks. **Molly Delaney** spoke in support of this, stating that she was hit by a car in a crosswalk downtown (driver's inattentiveness). She feels especially on Main St. this is necessary. While we can't cure driver distraction, we can make it safer than it is.

VIII. Town Manager's Items

A. Capital Projects

- 1. Hodgdon Street** – Only two bids were received, Hagar Enterprises and Farley, Inc. The Town Meeting June 1, 2022 approved the CDBG application of \$86,800 and \$122,800 from Capital Reserve Funds to support the Hodgdon Street project. Hagar's total bid estimate was reduced by having the Town's Public Works Department put up the signage (about \$1200 each).
- 2. Miles Street** – Project is well underway. Old water lines are out. Traffic has been rerouted with only one way in and one way out. Material testing will cost \$6-\$8K (1% of budget) and the board felt it was worth it. They will be starting with the intersection of School Street tomorrow.
- 3. Egypt/Belvedere Road** – **Andy** has had a lot of calls. They started paving today – Biscay Rd. to Rocky Run. It should be done by the end of the week.

B. Legislative Updates

- 1. LD 286** – Committee amended and voted to accept. It would give more flexibility in the use of TIF funds.
- 2. LD 2003**- Regarding affordable housing goals. Committee did not meet 4/18 as scheduled. Reschedule hopefully coming soon.
- 3. LD 1176** – An Act to Create Municipal Cannabis Revenue Sharing. This bill would allow 20% of the money credited to the Adult Use Cannabis Public Health and Safety and Municipal Opt-in Fund be provided to municipalities to permit some or all of the adult use cannabis establishments.
- 4. LD 1398** – An Act to increase Teacher's Salaries would potentially raise the minimum starting pay (\$42K average) to \$60K by 2032 after which starting pay would be increased by the cost-of-living index. After 2032 municipalities would pick up the increases. Prior to that, the State would be subsidizing the salaries.
- 5. LD847** – An Act to Support Law Enforcement in the Interactions with Individuals with Histories of Trauma. This would provide trauma-informed training for law enforcement as well as having the municipalities implement a program which employs clinical social workers embedded in the police department.

C. Earth Day Clean-Up

Damariscotta residents are encourage to join the community as whole on April 21st-April 23rd in the annual "Clean-Up Day". Bright orange bags will be available beginning April19th at the Police Department and Coastal Rovers' offices at Round Top Farm in Damariscotta. Town employees will be picking up the orange bags on Monday, April 24th, for delivery to the transfer station. This is for the roadside clean-up only. **PLEASE, NO HOUSEHOLD TRASH!** For your own safety, wear brightly colored clothing for visibility and use gloves; avoid "sharp" "furry" or "suspicious looking" items.

IX. Official Action Items

Item #1 Moved to end of session

Items #2 & #3 voted on at beginning of session

- 4. Catered Function Application** –Three applications for three different events, catered by the same

company, Maurer & Partners Corp, DBA Stone Cove Catering. The three locations are Lakehurst, Newcastle Realty, and Cheney Insurance. Dates are May 10th, August 9th, and October 11th.

On motion (Fraser/Anderson) to approve and sign all three applications for catered functions for Maurer & Partners Corp. (Pinkham abstaining) Vote: 3-0-1

5. Annual Town Meeting Warrant Update on agencies in #8 and #9. Otherwise same as previous draft. **On motion (Fraser/Pinkham) to approve the Annual Town Meeting Warrant as presented. Vote: 4-0-0**

6. Land Use Violation - postponed until Executive Session

7. Hodgdon Street Improvement Contract Award

Hagar Enterprises was the low bidder on this project and the engineer recommended their bid, with a reduction in cost to be realized by installing the sign posts ourselves.

On motion (Keushguerian/Anderson) to award Hagar Enterprises, Inc. the Hodgdon Street Improvement contract less the cost of sign installation. Vote: 4-0-0

X. Select Board Discussion Items

1. Shape Certificate – A Hearing Conservation Policy is needed. Two employees have been tested. The first draft is done. The Board will need to adopt the policy and a first reading will be scheduled.

2. Vending Policy – **Andy** brought up this policy for revision. Non-profits are exempt from this, and that is the bulk of the requests. With the popularity of food trucks, etc. the policy needs revision. The 2nd and 3rd paragraphs are messy. Originally it was intended to minimize outside vendors. **Andy** wants the Board to think about the language and how it can be improved, made clearer and/or more expansive. He would like to see the redraft be folded into the business license or remain separate. The same issue arises with marijuana, edibles at farmers’ markets? **Daryl Fraser** said it needs to be clear cut. For clarification the licensing fee is \$50 flat rate for the year. **Peter Drum**, from the audience, spoke to the issue asking the Board to consider “time limits” in the policy. In the past, some have set up for an event and ended up with the space occupied 24/7 for days on end.

Lou Abbotoni joined the meeting from Zoom.

XI. Select Board’s Discussion Items

Tom Anderson – The Director of the Darling Center has said that more research needs to be done especially on the soft shell clams. They need to look at the impact of fishing with 1 mile from Town where 16 licenses have, been issued. Aquaculture (oyster farming) may be impacting other shellfish. Tom requested the Board to authorize him to talk to other Towns and the State about what is being done/needs to be done. **Bob Waltz**, a long-time shellfish farmer (46 yrs.), is concerned farmers are not being heard. He would like to see no more licenses in that area (1 mile area from Town). Tom will send apps to the board showing the river and locations. **Daryl Fraser** made clear the Board is not taking a position, just gathering information.

Lou Abbotoni -Nothing

Andrea Keushguerian - Nothing

Josh Pinkham- Little League is starting and he is coaching. He will be absent if it is not raining.

Daryl Fraser – Nothing

XII. Executive Session

On motion (Fraser/Keushguerian) Pursuant to 1 M.R.S.A. 405(6)(H) to discuss a pending code enforcement matter.

Vote: 4-0-1

(Pinkham abstaining)

On motion (Fraser/Anderson) to exit Executive Session.

Vote: 4/0/0

XIII. Land Use Violation: Possible 80K Action

On motion (Fraser/Anderson) to authorize the town staff and town attorney to find a resolution for the land use violation and to proceed with filing an 80K action if necessary.

Discussion followed with Peter Drum sharing Steve and Molly's position with regards to the violation. He shared that the contractor that finished the construction was in attendance and asked them to come to the table with him.

The contractor shared the following:

- While he was on site, the neighbors were aware of the construction. He shared a story about the sharing of coffee using a batter powered coffee maker.
- The garage was constructed to the 1200 sq ft, but the plans presented to the town showed a porch. These plans were attached to the (contractor's) permit.
- Alvarez presented the Town Manager with copies of the plans that were attached as described.
- The building was designed in February of 2019 and he took over the construction from a previous contractor.
- The town's (interim) CEO was on site to inspect during construction, as Stan was out sick, and the piers were swapped out for the deck. The interim CEO also inspected drainage, electrical, and other aspects of the project.
- The Interim CEO did a walk though at the end of the project.
- The CEO said the setback was 10'. The neighbor had approached the contractor and expressed concern about the setback, but there was a gentlemen's agreement at that point that all was okay.

Attorney Drum had provided the board with documents. Dorr stated that he would send those along to the town attorney.

Vote: 4/0/0

XIII. Adjournment

On motion (Anderson/Fraser) to adjourn the Select Board's meeting at 7:30 p.m. on April 19, 2023.

Respectfully submitted,

**Lynda L. Letteney
Recording Secretary**

We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Select Board meeting on April 19, 2023

Daryl Fraser, Chairperson

Louis Abbotoni

Tom Anderson

Andrea Keushguerian

Joshua Pinkham

Town of Damariscotta, Select Board meeting minutes of 4-19-23, signed this date:_____



Town of Damariscotta
21 School Street
Damariscotta, Maine 04543
(P) 207-563-5168 (F) 207-563-6862

Andrew Dorr
Town Manager

Town Manager's Report

April 29, 2023

1. Capital Projects

Miles St

The contractor has been working to complete all underground work at the Schooner St intersection. There had been some changes to the water utilities once the ground was opened up, but all the infrastructure for that portion of the project is in place and is scheduled to be tested this week. As we discussed last week, the 48" pipe that was called out in the design had to be modified in the field to accommodate the existing utilities. The total change order cost is still being calculated at this time. The 15" culvert that was specified to run from a new catch basin between Schooner St and Bristol Rd was installed at an additional 10' to meet the design standards called out for a total of 120'.

Looking into the next week, the contractor anticipates

- installing the road gravel to bring the new road bed to grade;
- adjusting the shoulder stabilization;
- installing electrical conduit; and
- installing some of the light pole bases, pending availability from supplier.

I will be working with the engineer and contractor to identify the cost of change orders that have occurred this month and anticipate an update at the May 17th meeting.

Egypt Rd

The contractor laid most of the shim last week with the exception of the area around the sink hole that appeared last weekend. As I explained in an email mid-week, there are some repairs that are necessary to addressing this so the paving project is not held up. After a conversation with the contractor that exposed the area of roadbed and our engineer, I have recommended a solution that fits the timeline of our road surface work while minimizing cost. This will include removing the old culvert that has failed between the edges of asphalt, capping the ends, backfilling the void under the road, compacting the trench with appropriate materials, laying geotextile, and paving a base so that the new surface called out in the project is ready as scheduled. I have reached out for

a second estimate on the work, but as of this morning have not received anything. I plan to coordinate this work with the contractor already working on the road project and they anticipate completing the repairs this coming week.

Belvedere Rd

The contractor has shared that with the forecast for this coming week they may look to reclaim, shim (gravel), and grade Belvedere Rd. Depending on the weather, this may also include laying the base course. After walking the road Friday morning, I have identified at least 2,100' of ditch/shoulder work that we will need to consider either adding to or contracting separately prior to surface pave. Once the road is reclaimed, I will walk this again and work with the engineer to determine the exact scope.

This road is essentially being rebuilt and there are numerous deficiencies in the drainage system along this road. There are likely a half dozen culverts that do not appear to have been installed that should have been under existing driveways and ditches that have most likely filled in over the years from a lack of maintenance. To build a proper drainage system along this road to ensure it does not impact the road bed or surface will likely cost between \$75,000-100,000. Again, once the road is reclaimed and brought closer to a finish grade we will have a better sense of the extent of the work, but this may require a conversation and approval as it may exceed the project funds we have identified.

Hodgdon St

A pre-construction meeting will need to be scheduled with CDBG staff per the requirements of the grant. This will be scheduled in the coming weeks to ensure compliance.

Waterfront/Parking Lot

The EDA contractor has shared that there is a decision from the committee, but he is waiting for the committee member's signatures before it is available to us. Following up on the sewer line challenges, the GSBSD has completed their SAM.gov registration and we will work to finalize the submittal requirements in adding them to our SF-424 application as a co-recipient. We expect to submit this by the end of May, if approved by the GSBSD at their May meeting.

2. 131st Legislature – Bill status/updates.

An email to the Maine Service Centers Coalition offered the following from this week's legislative work sessions.

"The Taxation Committee did hold the public hearing Tuesday on LD 1650, An Act to Create a Tiered Senior Resident Homestead Exemption on Tuesday, April 25. As we reported last week the bill generated by MMA is intended to address the costly and administratively burdensome Property Tax Stabilization Act for Senior Citizens that were enacted in 2022... The bill received some support at the hearing but testimony from the Administration raised significant concerns. Associate Commissioner for Tax Policy Mike Allen outlined the numerous technical issues as currently drafted; it presents possible legal concerns, warrants careful consideration of important aspects of taxpayer confidentiality protections, and presents significant administrative challenges. The problems raised by this bill as a solution to the concerns widely noted regarding the current property tax stabilization program are better addressed using the existing Property Tax Fairness Credit program. Allen then went on to suggest specific changes to the Property Tax Fairness Credit program that would provide a much simpler remedy to the problems with the current law.

On Thursday of this week LD 1650 was included in a Tax Committee work session that included 5 other bills seeking to replace or amend the current Senior Property Tax Stabilization law. After a very long discussion the Committee decided to kill four of the six bills with the goal of crafting a bipartisan plan to report out. Unfortunately, LD 1650 was among the six killed. The two remaining bills LD 130, Senator Bennett's bill to increase the Homestead Exemption to \$75,000 and LD 1335, Rep. Boyer's bill that limits to one the number properties that a married couple may request stabilization for were tabled to next week for a final work session.

Taxation Committee public hearing on Wednesday heard LD 1493, An Act to Increase Affordable Housing by Expanding Tax Increment Financing, sponsored by Rep. LaRochelle of Augusta. The bill proposes the creation of Pine Tree Affordable Housing Zones that would allow a developer to receive a sales tax exemption for the goods, services, and electricity used to rehabilitate buildings or new developments for workforce or affordable housing. The bill would also allow the retained value created by a TIF zone to be used anywhere in the municipality for those same housing development purposes. There was some municipal support the bill no one offered testimony opposed to the bill the Department of Administrative and Financial Affairs did not oppose the initiative, but did raise concerns and suggested language in the printed bill that would further define a qualified project, affordable and workforce housing and provide the ability to establish project guidelines. This bill appears to present a positive tool for municipalities to meet their need for more affordable housing. The work session for LD 1493 is set for next Thursday afternoon May 4." - Richard Trahey, MSCC Legislative Advocate

3. PSAC - Accessible Boat Dock

After numerous discussions at PSAC meetings, the group expressed the desire to submit for a Lincoln County ASK grant to help conduct a feasibility study for a location in town that could support a (kayak) boat launch in town. The request was submitted by me as we would need to serve as the fiscal sponsor. This would come at little to no cost to us and will help provide public access to the water, specifically for looking for safe-accessible access. In a follow-up to the request, we met with Mary-Ellen Barnes to discuss what would result in the use of the funds exactly and we reiterated that we're aiming for a feasibility assessment for a particular site that might identify a cost estimate to complete the project. More to come on this as it develops. The expectation would be to see this phase through and then bring to the board and community a concept that will require some goal setting to see it completed.

4. Land Use Violation Follow-up

Following the last meeting, staff are working with our attorney to gather more information regarding the land use violation. This involves accessing archived records, interviewing former staff, and meeting with some of the parties identified at the April 19th meeting by the property owner's representatives.

5. Waterfront Updates

The docks are in the water at the boat ramp. Hugh and I were able to get them installed following the usual repairs. Hugh shared that the docks are showing their age and he had to replace over a half dozen dock brackets as they rusted off or made us wary that they would last another season. Given the age of these, we will be applying to the state dock program to have them replaced for next season. There were 13 that came with the original grant and the town since added two more to make an 'F'. Until we submit and hear back, it is not clear if we will only be eligible for the 13 or if all 15 can be replaced through the program.

The bathroom facilities are open and available to the public. Hugh did have to replace one of the soap dispensers as this is the second time since I have been here that they have been stolen.

6. Personnel Updates

The job opportunity for a Town Planner has been created and submitted to LCN for print. I will be working with Sarah Macy to promote this to other areas for interested candidates.

After advertising and conducting interviews, I have successfully hired a public works laborer/driver. Merrill Chapman will start work on Monday, May 1 and we

are glad to bring him aboard as we push to get the community ready for the spring/summer season.

Agenda Items

1. Public Hearing - Application for Entertainment/Special Amusement Permit for Barn Door Baking Company, LLC D/B/A Barn Door Breakfast at 212 Main Street

Recommended Motion: On motion (_____ / _____) to enter executive session Pursuant to 1 M.R.S.A. § 405(6)(H) to discuss a pending code enforcement matter.

Vote ___ / ___ / ___

Recommended Motion: On motion (_____ / _____) to exit executive session Pursuant to 1 M.R.S.A. § 405(6)(H) to discuss a pending code enforcement matter.

Vote ___ / ___ / ___

2. Official Action Items:

- a. Application for Entertainment/Special Amusement Permit
If no significant objection results from the Public Hearing, the board can consider approval of the applications.

Recommended Motion: On motion (_____ / _____) to approve and sign the Entertainment/Special Amusement Permit application for Barn Door Baking Company, LLC.

Vote ___ / ___ / ___

- b. Law Enforcement Grant
Chief Warlick shared the recent grant opportunity to purchase bullet proof vests. This would be a 50/50 matching grant. While the FT officers received vests through a similar program a couple of years ago, there are three vests that need to be replaced, primarily for our reserve officers. The Chief would like your approval to submit for this grant request and to utilize next year's operating budget as our financial match.

Recommended Motion: On motion (_____ / _____) to authorize Chief Warlick to submit an application for the Bullet Proof Vest Grant and to use funds from the Department's FY 24 operating budget for our match.

Vote ___ / ___ / ___

c. Comprehensive Plan Committee Appointments

I forgot to bring to your attention a request from two residents to join the Comprehensive Plan Committee at the last meeting. Mary Devlin and Douglas Morton have both expressed interest in serving on the committee.

Mary offered the following in requesting the appointment to the committee in previous interactions. "I've spent time in Damariscotta for over 50 years: first as a "summer kid" working in local restaurants and shops — hello, Pinegrove and Yellowfront (the original downtown); then as a vacation homeowner where I brought my kids here for over 20 years of year-round activities; now as a full-time resident retiree with a son working in Bristol. Watching Damariscotta change and grow over the years has been interesting, but I think, with recent changes in business closings downtown, the demands for housing, and the impact of climate change, the work to maintain a "local" feel (as stated in the 2014 plan) while meeting residents' needs will be more important now than ever...and I would appreciate the opportunity to help with that work."

Doug submitted a "Committee Interest" card and shared that he is a retired engineer and was a former member of our Board of Appeals, has experience with form-based code planning, and was a member of our Waterfront Improvement Committee.

Recommended Motion: On motion (_____ / _____) to appoint Mary Devlin and Douglas Morton to the Comprehensive Planning Committee.

Vote ___ / ___ / ___

d. Hearing Conservation Policy

At the last meeting I shared a draft of the Hearing Conservation Policy. This is required of us following a BLS voluntary consultation and measurement of sound levels at Public Works. This is one of the many compliance directives for SHAPE certification, something that we will continue to work towards for the Public Works Department. If there are no objections, changes, or concerns I will look for your approval so we can share that with the BLS staff so we are compliant with the BLS requirements.

Recommended Motion: On motion (_____ / _____) to adopt the Hearing Conservation Policy.

Vote ___ / ___ / ___

TOWN OF DAMARISCOTTA

INITIAL APPLICATION FOR ENTERTAINMENT/SPECIAL AMUSEMENT PERMIT

Under M.R.S.A. Title 28-A, § 1054. Without the permit described in subsection 2, no licensee for sale of liquor to be consumed on the premises may allow any: music, except radio or other mechanical device; dancing; or entertainment of any sort without having first obtained an entertainment (special amusement) permit. Before granting a new initial permit and after reasonable notice to the municipality and the applicant, the municipal officers shall hold a public hearing at which the municipal officers shall take testimony of the applicant and any interested members of the public.

A non-refundable fee, which is listed in the Town's fee schedule, is required to cover the cost of advertising in the Lincoln County News and for administrative processing.

Current License Expires: New

Name of Organization: Barn Door Baking Company LLC PBA
Barn Door
Breakfast

Organization Phone #: 207-563-3667

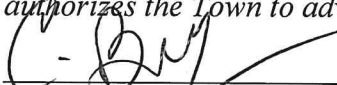
Location of Entertainment: 212 Main St Damariscotta ME

Planned Time/Hours: 12pm-9pm

Lighting & Noise Level: Minimal

Days of Occurrence: occasionally; no more than 2x weekly

The applicant certifies that the information provided herein is true to the best of the applicant's knowledge and authorizes the Town to advertise as required in the application process.


Signature of Applicant

Town Manager or Town Clerk

3/23/23
Date

Date

Board of Selectmen:

Daryl Fraser

Tom Anderson

Louis Abbotoni

Andrea Keushguerian

Joshua Pinkham

Signed by the Board of Selectmen on this date _____

License Expires: _____

Fee Paid _____	Date _____	Clerks initials _____
Ad to run in _____ edition of the Lincoln County News		
Hearing to be held on Wednesday, _____ at _____ at the Municipal Building at 21 School St.		
Applicant notified of said hearing _____		
Police Report obtained _____		



Town of
Damariscotta

Andrew Dorr <adorr@damariscottame.com>

BPV grant submission

1 message

Jason Warlick <jwarlick@damariscottame.com>
To: Andrew Dorr <adorr@damariscottame.com>

Thu, Apr 27, 2023 at 2:40 PM

Good afternoon Andy,

I am requesting permission to apply for the upcoming bullet proof vest grant. As in years past this grant is a 50% reimbursement to the town for the vest, vest carrier and equipment attachments. I currently need 3 vests for my part-time officers as we have never provided them with new vests. I am waiting to hear back on the costs for the vests and carriers but historically they were about \$1200 per unit fully equipped. This will likely be higher due to inflation and I should have a better idea by the time the board meets to make their decision. Please let me know if we could get this in front of the board for the May 3rd meeting and I will make myself available.



Town of
Damariscotta

Andrew Dorr <adorr@damariscottame.com>

Bulletproof Vest Partnership (BVP) – FY 2023 Application Announcement

BVP Email Account <ojp@public.govdelivery.com>
Reply-To: ojp@public.govdelivery.com
To: townmanager@damariscottame.com

Thu, Apr 27, 2023 at 10:04 AM

Dear BVP Participant:

The [Bureau of Justice Assistance \(BJA\)](#) is pleased to announce that the Fiscal Year (FY) 2023 [Patrick Leahy Bulletproof Vest Partnership \(BVP\) Program](#) application period is now open, beginning today, Thursday April 27, 2023. All applications must be submitted online at [Patrick Leahy Bulletproof Vest Partnership: Login \(usdoj.gov\)](#) by **6:00 pm eastern time on Monday, June 26, 2023.**

The purpose of the BVP Program is to reimburse states, units of local government, and federally recognized Indian tribes, i.e., jurisdictions, for up to 50 percent of the cost of body armor vests purchased for law enforcement officers. Please see the new [BVP Fact Sheet](#) for detailed information on the BVP Program. In addition, updated BVP Frequently Asked Questions (FAQs) can be found at <https://www.ojp.gov/program/bulletproof-vest-partnership/faqs>, and detailed guides and training materials for the BVP application process and the payment request process can be found at <https://www.ojp.gov/program/bulletproof-vest-partnership/program-resources#hf3a1a>.

FY 2023 BVP Program and Application Requirement Highlights

Detailed information can be found in the [BVP FAQs](#).

- **Eligibility:** States, units of local government, and federally recognized Indian tribes, i.e., jurisdictions, that employ eligible law enforcement officers are eligible to apply for BVP funds. Multiple law enforcement agencies (LEAs) within the same jurisdiction must submit their own application information and vest needs to the jurisdiction. The jurisdiction will then submit the LEA applications in one submission to BJA. This includes colleges and universities. All public colleges and universities are considered LEAs under their respective jurisdiction.
- **Body Armor Vest Requirements:** Body armor vests purchased with BVP funds must have been tested through the National Institute of Justice (NIJ) [Compliance Testing Program \(CTP\)](#) and found to comply with the most current NIJ body armor standards, appear on the [NIJ Compliant Products List](#) as of the date the body armor was ordered, be uniquely fitted, and be made in the United States. In addition, applicants must have a written mandatory wear policy for uniformed patrol officers in place at the time of application. Detailed information on the mandatory wear requirement can be found in the [Mandatory Wear FAQs](#).
- **NEW DIAMD Registration Requirement:** The first step to obtain access to the BVP system is onboarding to OJP's Digital Identity and Access Management Directory (DIAMD), which replaced the former BVP access control system in January 2023. DIAMD is a modern single-sign-on gateway service with multi-factor authentication. If you are an OJP grant program applicant or recipient, you may already have an account registration with DIAMD, and your BVP user account will be added to the OJP systems you access through DIAMD. Please see the BVP login page for details: <https://vests.bja.ojp.gov/bvp/login/externalAccess.jsp>. Detailed instructions can be found at <https://justicegrants.usdoj.gov/noindex/general-entity-user-experience.pdf> and in the [BVP FAQs](#).

- **System for Award Management (SAM) Registration Requirement:** An active registration in the System for Award Management (SAM) required to receive funds. Jurisdictions not registered with SAM are strongly encouraged to access the SAM website at <https://www.sam.gov/SAM/> as soon as possible in order to obtain information on and complete the online SAM registration process. Applicants should ensure that current bank routing and bank account information is included in the SAM.gov profile, as the banking information in the SAM at the time of application will be used to transfer reimbursement funds to your jurisdiction. For more information about renewing and updating your existing SAM registration, or registering in SAM as a new entity, please visit <https://sam.gov/content/help>. The SAM Helpdesk can be reached at (866) 606-8220.

- **Items to Review:** To ensure that program participants are submitting applications that accurately reflect their vest needs for the next two years, please review the program guidance below. Prior to submitting an application for FY 2023 BVP funds:
 - Verify that the number of vests indicated on the application does not exceed actual agency needs. Review all currently deployed vests for those that will need to be replaced during the next two years, according to the replacement cycle indicated on your BVP system profile. Applications for funds should reflect the number of vests your agency needs to replace within the next two years, and vests for officers your agency anticipates hiring in the next two years. (New hires can be anticipated based on the average number of officers hired over the most recent three years.)
 - Ensure that the application accurately reflects the current market cost for the vests identified on the application.
 - Review previous year(s) BVP funding to identify any unspent funds that might currently be available for BVP needs.

Your careful attention to actual vest needs will help ensure that all eligible jurisdictions submitting requests will receive the maximum award allowable based on the appropriation and distribution guidelines.

For questions regarding this email or for assistance with the online application process, please do not hesitate to call the BVP Help Desk at 1-877-758-3787, or email vests@usdoj.gov.

In addition, please visit BJA's Officer Robert Wilson III Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability (VALOR) Initiative website to obtain other information regarding officer safety: [VALOR Officer Safety and Wellness Initiative | Overview | Bureau of Justice Assistance \(ojp.gov\)](#). The VALOR Initiative is a comprehensive set of programs that deliver no-cost officer safety, wellness, resilience training, resources, and technical assistance to law enforcement throughout the country. VALOR brings together the latest research and practices to address current and emerging officer safety and wellness issues/threats. Please see the VALOR Initiative Overview-Booklet for a detailed synopsis of this important initiative: [BJA VALOR INITIATIVE \(ojp.gov\)](#).

Sincerely,

The BVP Program Team

Bureau of Justice Assistance

<https://www.ojp.gov/program/bulletproof-vest-partnership>

4/29/23, 7:50 AM

Town of Damariscotta Maine Mail - Bulletproof Vest Partnership (BVP) – FY 2023 Application Announcement

This email was sent to townmanager@damariscottame.com using GovDelivery Communications Cloud on behalf of:
Department of Justice · Washington, DC

Town of Damariscotta



Hearing Conservation Policy

OSHA STANDARD 1910.95

Prepared by:
Andrew Dorr

The purpose of this policy is to establish a program and procedures for employee hearing protection and conservation at the **Town of Damariscotta**. This policy applies to all applicable full and part time department employees.

This policy supports compliance with Occupational Safety and Health Administration 29 CFR 1910.95 Occupational Noise Exposure. The plan includes requirements for personal protective equipment, housekeeping, training and a procedure for reporting exposures.

This policy was developed with the cooperation of the Maine Department of Labor and Safety Works!



The Policy Administrator is **Andrew Dorr**
The office phone number is **207-563-5168**.
E-mail address is adorr@damariscottame.com

The Administrator is responsible for the following:

- Issuing and administering this policy and making sure that the plan satisfies the requirements of all applicable federal, state and local hearing conservation regulations.
- Identifying which employees who are likely to be exposed to noise levels above 85dB.
- Developing procedures for noise abatement and hearing conservation.
- Assuring that employees are provided Personal Protective Equipment (PPE) and that they are trained on its' proper use and care.
- Maintaining medical records of exposure monitoring, training records and hearing exam records.
- Completing exposure incident reports and notifying affected individuals.
- Evaluating and updating the policy annually. (12 Month period)
- Coordinating the annual audiometric testing of applicable employees.
- Supervision of hearing protector selection
- Supervision of employee training.
- Coordination and supervision of record keeping.
- Evaluation of overall program.

The required elements of the program are:

- Monitoring,
- Noise Control,
- Protective Hearing Devices,
- Audiometric Testing Program,
- Training, and
- Recordkeeping

Monitoring

Noise exposure levels must be measured wherever they may reasonably be expected to be above an eight-hour time weighted average of 85 dBA.

For the Town of Damariscotta, the following operations are known to be loud and until measured, assume levels are in excess of 85 dBA:

(Samples)

- **Excessive operation of the high-capacity mower – 95dB**
- **Excessive use of a jack-hammer- 100dB**
- **Excessive use of an air-operated chisel – 105dB**
- **Excessive operation of weed trimmers, air blowers and chain saws – 95dB**

A qualified third-party provider and/or a representative of the Maine Department of Labor will conduct monitoring. Where possible, historic data (previous similar monitoring) that was conducted will be used for specific operations.

** Employees or employee representatives will have the opportunity to observe the monitoring in a manner that does not disrupt daily operations.

See the attached Noise Exposure Measurements for operations specific to the Town of Damariscotta.

Noise Controls

Noise controls must be evaluated and implemented wherever employee exposures are at or above an eight-hour time weighted average of 90 dBA.

For the Town of Damariscotta, the following controls will be utilized to reduce noise levels to the greatest extent possible:

- Use of Personal Protective Equipment (PPE)
- Disposable earmuffs and or plugs.
- Utilization of temporary barriers or other approved noise-reducing materials.
- Utilization devices that will place away from the noise source. (Extension cords, air hoses etc.)

Protective Hearing Devices

The Town of Damariscotta will provide multiple types of hearing protection for all employees that have an eight-hour time weighted exposure of 85 dBA or above, who have any continuous exposure at or above 115 dBA, or who have an exposure to any impulse noise levels above 140 dB.

Audiometric Testing Program

All employees with an eight-hour time weighted exposure of 85 dBA or above is included in an audiometric testing program.

The Program Administrator will ensure that all affected employees participate in the company Audiogram Program that includes baseline testing as soon after orientation as possible but within 6 months of first exposure. Annual audiograms will be taken to compare to baselines and assess whether employee(s) have experienced measurable hearing loss. Exposure to noise will be minimized for 14 hours prior to obtaining this baseline exam and subsequent annual tests.

Lincoln Health - Miles Campus Hospital, or a qualified third-party medical provider who will review all audiogram and refer employees with questionable audiograms will perform annual Audiograms. Testing will be conducted per ANSI S3.6-1969 and in accordance with OSHA 29CFR1910.95.

Training

The Program Administrator, or a qualified third-party individual must provide annual training to all employees exposed to noise at or above an eight-hour time weighted average of 85 dBA. Training must include the effects of noise on hearing, information on hearing protection and their use, information on audiometric testing and its purpose, and review of this policy.

- The employer must maintain a written description of the training program.
- The employer must provide a copy of the most recent audiogram result to the employees and explain the result to them.
- The attached training record will be included as part of this written program.
- Posting of the Hearing Conservation Standard 29CFR1910.95 Appendix A.

Recordkeeping

Audiometric test need to contain the following information:

- Name and job classification of employee
- Baseline audiograms
- Date of audiogram
- Examiner's name
- Date of last calibration of the audiometer
- Employees most recent noise exposure assessment
- Employer shall maintain accurate records of the measurements of the background sound pressure levels in the audiometric test rooms if done onsite.

Records Retention:

1. Audiometric test records will be retained for the duration of the affected workers employment.
2. Noise Exposure monitoring records are required to be kept two (2) years.
3. All records will be provided to employee upon their request.

Reviewed by: _____ Date: _____

Revised by: _____ Date: _____

Training Participant Registration

Print Name	Signature
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19.	
20.	

Date: _____ Course Title: _____ Instructor: _____

Topics covered (check below) (or attached copy of training materials):

- the effects of noise on hearing
- information on hearing protectors and their use,
- information on audiometric testing and its purpose
- the employees right to access to records
